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Congress of the United States House of Representatives

Washington, DC 20515-0101

April 21, 1999

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COMMITTEE ON
APPROPRIATIONS

Subcommittees:

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Foreign Operations,
Export Financing and
Related Programs

Energy and Water
Development

Transportation

ASSISTANT WHIP

Honorable Jane E. Henney
Commissioner
U.S. Food and Drug Administration
5600 Fishers Lane, Room 1555
Rockville, MD 20857

Dear Commissioner Henney:

I am writing today to express my serious concerns over the unnecessarily costly and irresponsible rules you have been asked to consider by the Center for Science in the Public Interest relative to pasteurization of oysters and other shellfish.

Congress, the Food and Drug Administration (FDA), the Interstate Shellfish Sanitation Conference (ISSC) and the shellfish industry continue to recognize the risks associated with *Vibrio vulnificus* to certain high risk individuals when they consume raw molluscan shellfish. The recent petition submitted to the FDA by the Center for Science in the Public Interest appears to be an effort to circumvent the established process for dealing with molluscan shellfish in this country. I am hopeful your agency will steer this effort back into the appropriate forum.

The ISSC has made commendable efforts over the last few years to address this issue in a fair and practical process. The adoption of the Interim Control Plan, and subsequent actions by industry to meet the guidelines of the Plan, has improved the National Shellfish Sanitation Program in a practical way. The industry in the Gulf has been willing to change its handling practices to improve the quality of the product. We encourage efforts to get all businesses that handle shellfish to understand the proper handling practices for shellfish, and the efforts to develop additional methods to improve the quality of oysters with the goal of reducing illnesses.

Efforts to impose more restrictive control measures for added consumer protection which lack scientific basis would cause undue harm to the shellfish industry, especially in the Gulf of Mexico. I firmly believe mandating pasteurized treatment of raw shellfish is contrary to the reasonable approach the Conference has taken thus far.

I continue to support a balanced and practical program of education, consumer information, and research, and believe any policy adopted by the ISSC should be scientifically based and include risk assessment principles. It is my view that consumers should have a choice between treated oysters and fresh oysters. The small number of people who may be at

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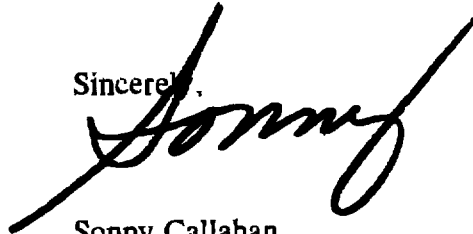
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risk should heed the ample health warnings available where fresh oysters are sold and assume their own level of personal responsibility.

Again, I strongly urge you to reject efforts by the Center for Science in the Public Interest to mandate pasteurization of oysters and other molluscan shellfish. With kind regards, I am

Sincerely,

A handwritten signature in black ink, appearing to read "Sonny", with a long, sweeping horizontal stroke extending to the left.

Sonny Callahan
Member of Congress

SC:mjs